

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ALVIN J. WHITLOW,	)	
	)	
Petitioner,	)	
	)	
v.	)	C.A. No. 11-10226-DPW
	)	
UNITED STATES PAROLE	)	
COMMISSION,	)	
	)	
Respondent.	)	

ORDER OF TRANSFER  
March 17, 2011

For the reasons stated below, I order that this action be transferred to the United States District Court for the District of Rhode Island.

On February 11, 2011, Alvin J. Whitlow, a parolee from the District of Columbia, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. Whitlow is confined at the Wyatt Detention Center in Central Falls, Rhode Island.

Under § 2241, a federal court has the authority to entertain a petition for a writ of habeas corpus brought a petitioner who is within the court's jurisdiction at the time the petition is filed. See 28 U.S.C. § 2241(a); *Rumsfeld v. Padilla*, 542 U.S. 426, 442 (2004) ("District courts are limited to granting habeas relief 'within their respective jurisdictions.'" (quoting 28 U.S.C. § 2241(a))); see also *id.* at 447 ("Whenever a § 2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent and file the petition in the district of confinement.").

Because Whitlow was not confined within the District of

Massachusetts at the time he filed the petition, I am without jurisdiction to entertain the petition.

Under 28 U.S.C. § 1404(a), "in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought." 28 U.S.C. § 1404(a). I find that it is in the interest of justice to transfer this action to the district of Whitlow's confinement.

Accordingly, the Clerk shall transfer this action to the United States District Court for the District of Rhode Island.

/s/ Douglas P. Woodlock  
DOUGLAS P. WOODLOCK  
UNITED STATES DISTRICT JUDGE